

MANDATE

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT
THURGOOD MARSHALL U.S. COURT HOUSE
40 FOLEY SQUARE, NEW YORK, N.Y. 10007

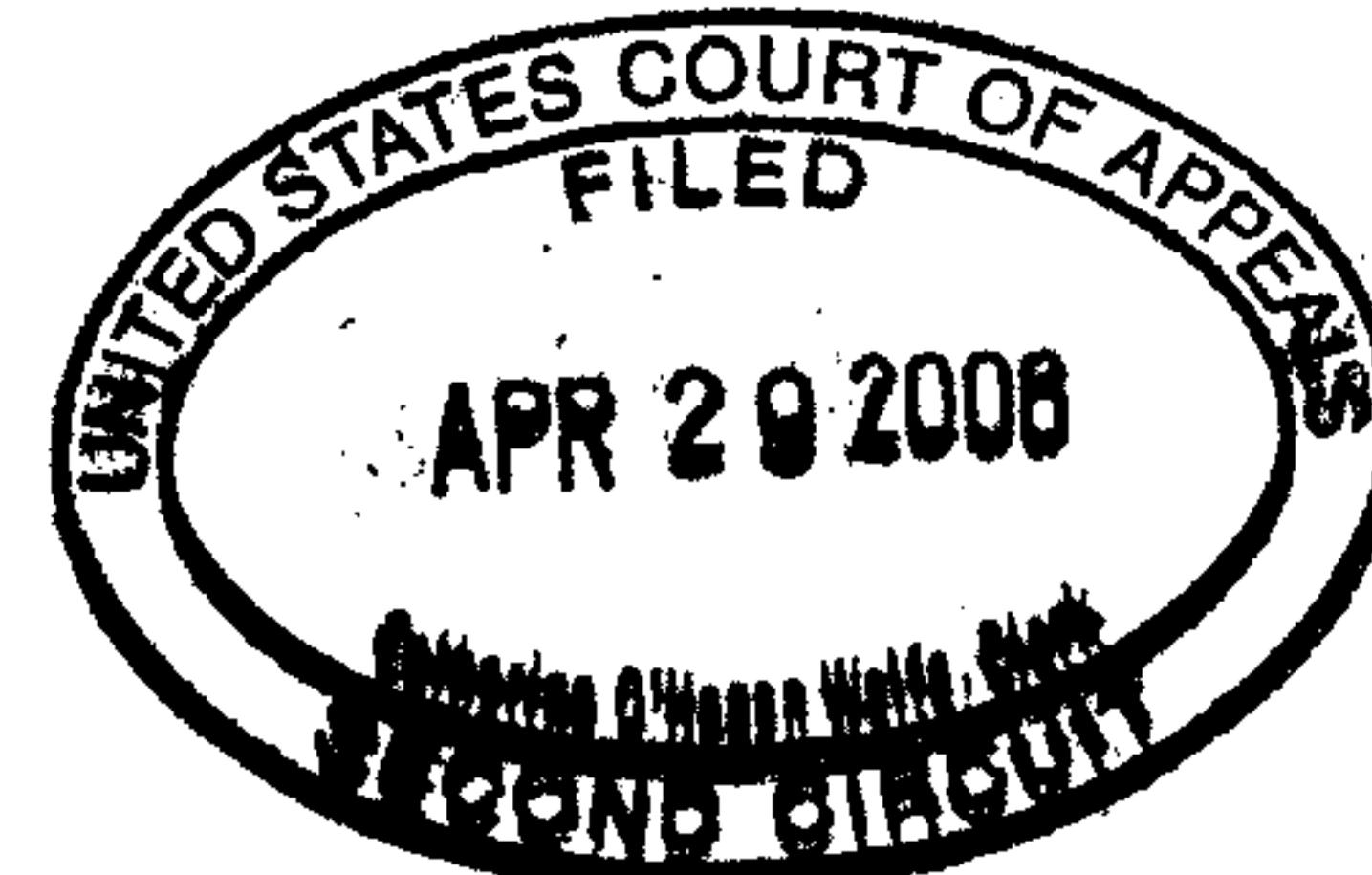
Catherine O'Hagan Wolfe
CLERK OF COURT

Date: 4/29/08
Docket Number: 07-5427-pr
Short Title: Rodriguez v. USA

DC Docket Number: 07-cv-8567
DC: SDNY (NEW YORK CITY)
DC Judge: Honorable Kimba Wood

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 28th of April, two thousand eight.

Jaime Rodriguez,
Petitioner-Appellant,
v.
United States of America,
Respondent-Appellee.



Petitioner having filed a Notice of Appeal from an order denying relief in an application brought under the provisions of 28 U.S.C. Section 2255, and it appearing that the District Court denied petitioner's request for a Certificate of Appealability, the Court of Appeals construed the Notice of Appeal as a motion for Certificate of Appealability, requesting that petitioner comply with this Court's Local Rule 22(a), by submitting, within 21 days of the initial request, a motion in support of a Certificate of Appealability in which petitioner identified each issue to be raised on appeal and provided facts and a brief statement of reasons showing that petitioner had been denied a constitutional right.

Petitioner having failed to comply with the Second Circuit Local Rule 22(a), it is ORDERED that petitioner's request for a Certificate of Appealability is DENIED and DISMISSED with prejudice. Any motions pending prior to the entry of this order of dismissal are deemed MOOT.

For the Court:
Catherine O'Hagan Wolfe, Clerk
By: Gislaine Phillip
Gislaine Phillip, Deputy Clerk

A TRUE COPY
Catherine O'Hagan Wolfe, Clerk
by Gislaine Phillip
Deputy Clerk

ISSUED AS MANDATE APR 29 2008

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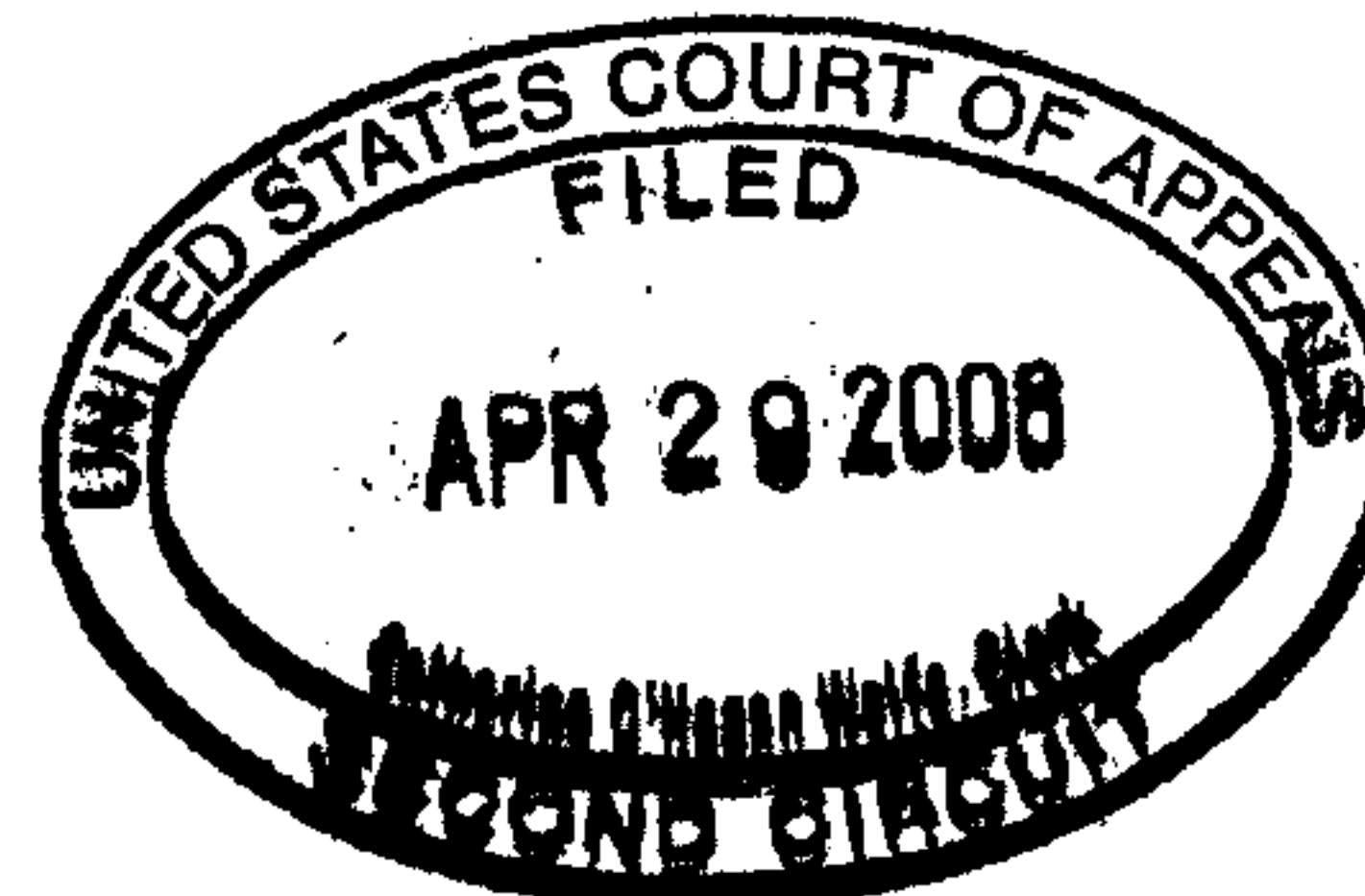
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THE MANDATE CONSISTING OF
ITEMS BELOW, HAS BEEN RECEIVED
() OPINION () STATEMENT OF COSTS
() ORDER

RECEIVED BY: _____ DATE: _____

For the Court:
Catherine O'Hagan Wolfe, Clerk
By: Gislaire Phillip
Gislaire Phillip, Deputy Clerk